

Exhibit 3
Email Exchange between Roberts
and Whelpley
January 17 to February 7, 2011

On Mon, Jan 17, 2011 at 6:52 PM, Kip Whelpley

On 2011-01-17, at 6:07 PM, Padraig Mac Roibeaird wrote:

> I need an address for service for some civil court documents that are to be served on you. If you have a lawyer, please provide his or her address.

>

> If we do not receive a reply, we will commence to have the papers served on you at your work.

>

>

> Padraig.

Begin forwarded message:

From: Kip Whelpley

Date: January 18, 2011 9:23:47 AM PST

To: Padraig Mac Roibeaird <pmacroibeaird@gmail.com>

Subject: Re: Address for service

I will accept it by mail, and yes I have no desire to meet with anyone in person in regards to this matter... this may be a continued part of others lives sir but as far as im concerned.... This is my past and a crappy one at that... I prefer to leave it that way and have no involvement with any of it....Im in the process of creating a new life for myself that does not involve such people and events and would very much like to keep it that way if possible... Thank you for understanding this...

You and Mr Botting have my address please feel free to send me what you must but this will be the last email communication or response you will receive from me..

Respectfully

Kip

Begin forwarded message:

From: Padraig Mac Roibeaird <pmacroibeaird@gmail.com>
Date: January 17, 2011 11:21:27 PM PST
To: Kip Whelpley
Subject: Re: Address for service

Thank you.

I do understand your situation and your reluctance to meet people who might be a danger to you. I assure you that Mr. Rosenau, Mr. Botting, and myself are, and always will be, acting within the law in all of our dealings with you.

I know of some of the other people alleged to be involved in this mess and as far as I can tell, no one intends to do you any harm and that is more so now that I have let it be known that you have said you do not intend to return to the US. I stress the words "as far as I can tell" and would urge you to contact the RCMP immediately if you feel under threat.

Let me know if you will accept service by registered mail, and that will save you having to meet anyone.

Padraig

Begin forwarded message:

From: Padraig Mac Roibeaird <pmacroibeaird@gmail.com>
Date: February 7, 2011 11:10:14 PM PST
To: Kip Whelpley
Subject: Notice of Civil Claim

WITHOUT PREJUDICE

Hi Kip,

I see from Canada Post that the Notice of Civil Claim filed in the Quesnel Registry of the Supreme Court of BC has been served at the address you gave.

I firstly want to make it clear that Mr. Botting does not act in any way in this civil matter. He is Mr. Rosenau's counsel in the extradition process only.

I am assisting Mr. Rosenau as what has come to be called an "agent" in civil matters in the Supreme Court. Many people now use unpaid agents due to the extraordinary expense of lawyers and take the view that it is better to have a friend or other associate who may have a greater level of legal knowledge handle these matters, which are fairly straightforward, than to try and do it themselves. As an example, it was I who drafted the Notice of Civil Claim.

If you wish to engage such a person at this preliminary stage to save legal expenses in a matter that may well be resolved short of trial, or even to conduct your own case, I would be happy to deal with that person or yourself in doing basically the same things that counsel do when retained. I cannot give your agent or yourself legal advice, but I can provide you with clarification on matters related to the claim, and I can hear your side of the story if you choose to give it under the Without Prejudice qualification I attach to this email. Without Prejudice is a qualifier to anything written beneath those words in a written communication. It means that nothing thus said can ever be brought before a court and held against the party. There is not an equivalent term, other than "Off the record" for verbal communication, but you have my undertaking that anything that may be said by yourself or your agent will never be brought before a court and held to be proof of any fact or agreement. I would expect the same from yourself or your agent.

While the Notice may seem complex, and it is understood that you may not have knowledge one way or the other about some of the background facts, this claim centers on two factual issues. They are whether or not you identified a helicopter with the identification numbers C-FRKM as being a Robinson 44 helicopter that delivered seven 500-600 pound loads of marijuana to you in the summer of 2004, as the US prosecutor Roe says you did in her material before the court here. The other issue is her claim that she expects you to testify. We believe that expectation has no factual basis now that you are in Canada and under no legal obligation under Canadian law to return. Mr. Rosenau can easily prove that C-FRKM could not have ever been used for any such activity in 2004. I personally doubt that you ever said what Roe says you did, or in the alternative believe that the US authorities threatened and coerced you into signing a prepared admission and in those circumstances you felt compelled to go along with their lie. That would certainly be considered a mitigating factor if this matter were to be resolved at this early stage. The history of these sad adventures involving the exploitation of people such as yourselves is that virtually everyone cooperates and as is the saying in my Irish homeland, people develop such good memories that they can remember things that never even happened.

I do recall you saying that you did not then intend to return to the United States, in which case I expect you would not object to that part of the Relief Sought which is a court order prohibiting your return to

repeat this false allegation against Mr. Rosenau in a US court, which would be an act of extreme malice towards Mr. Rosenau.

Those are the only two issues in this matter and I am presently proceeding on the basis that you wish to make an honest resolution of this matter by addressing any falsehoods that appear in the American Supplemental Record of the case and which form the basis of Mr. Rosenau's claim. You may do so in your Response to Civil Claim, or prior to that by you or your agent corresponding with me.

Regards,

Padraig.